



Department of Planning and Development (DPD)
Land Development Services (LDS)

Technical Bulletin

Subject: Electric Vehicle Charging Spaces Review Process
and Checklist

Date: 4/12/21

No.: 21-06

Summary: The purpose of this Technical Bulletin is to update and clarify the Electric Vehicle Charging (EVC) space review process and provide a standard checklist to accompany any required application for the installation of EVC spaces. These changes will streamline the approval process by ensuring the required information is provided in a standardized form.

Effective Date: Effective Immediately

Background: The current Zoning Ordinance does not address the provision of EVC spaces and the Zoning Administration Division uses an interpretation issued in 2013, in the form of a [policy memorandum](#), as a guideline when reviewing EVC space installation requests. As part of the Zoning Ordinance [Modernization project](#) (zMOD), new standards were approved that specifically address EVC spaces. Until the zMOD proposal becomes effective (July 1, 2021) the Zoning Administration Division has updated the longstanding interpretation to reflect [what is being approved through zMOD](#). This allows EVC space providers to begin implementing these new provisions immediately.

Policy: The main changes and updates to the current EVC space policy, which are also reflected in the EVC checklist, are provided below:

Previous Determination

EVC spaces were deemed permitted accessory use serving another principal use, such as an office park, industrial park, institutional use, shopping center, retail sales establishment, or multiple family development, when the criteria listed below were met.

- **Location:** EVC space was in a parking structure or parking lot that serves a principal use.
- **Parking:** EVC space did not result in the reduction of parking spaces to less than what is required to serve the principal use.
- **Circulation:** The charging station was located so as not to interfere with any vehicular or pedestrian circulation or block any fire lanes or access into the site.
- **Sign:** EVC space signs promoting or advertising the EVC space were not permitted on the charging station or on the lot. However, small directional signs not exceeding two square feet in size and located no closer than five feet to any lot line were permitted.
- **Canopy:** When located in a parking lot or on the top level of a parking structure that is open to the sky, no canopy or any type of roofed structure was permitted in association with the EVC space.

- **Outdoor Lighting:** Any outdoor lighting associated with the EVC space must be full cut-off and consistent in color and design with the other existing light poles and/or outdoor lighting.

EVC spaces that did not meet the criteria was considered a principal use and was **deemed an automobile-oriented** use under the Zoning Ordinance.

Current Determination

EVC spaces are still deemed a permitted accessory use serving another principal use, such as an office park, industrial park, institutional use, shopping center, retail sales establishment, or multiple family development, when the criteria listed below are met.

- **Location:** When located in any residential development, the type of EVC space installed is limited to Level 1 or Level 2 facilities (as defined by the U.S. Department of Transportation) unless it is in a parking structure. The EVC space is available only for use by the residents and their guests. When located in any non-residential or mixed-use development, any EVC space must be in a parking structure or on a parking lot that serves a principal use.
- **Parking:** EVC spaces will be included in determining the provided parking for the development. However, any reduction of parking spaces due to the installation of EVC spaces or associated equipment may require review and approval of a Parking Tabulation to ensure that there is enough parking to serve the development per the Zoning Ordinance.
- **Circulation:** EVC space and equipment must be located so as not to interfere with any vehicular, bicycle, or pedestrian circulation or block any fire lanes or access into the site.
- **Sign:** Each EVC space dispenser is permitted to have a digital display area up to one square foot in size. A digital display area greater than one square foot is regulated as a sign and is subject to Article 12.
- **Canopy:** A canopy is not permitted in association with an EVC space located in a surface parking lot unless it supports a solar collection system. Any canopy supporting a solar collection system must comply with height and setback requirements for a freestanding accessory structure in Article 10 and cannot include signage or illumination on the sides of the canopy. On the top level of a parking structure, a canopy may be allowed if it does not include signage or illumination on the sides of the canopy.
- **Outdoor Lighting:** Any outdoor lighting associated with an EVC space must comply with the outdoor lighting requirements in Article 14.
- **Height:** The maximum height of the EVC space dispenser and any associated transformer, switchgear, or other similar item is nine feet. This standard applies only when the EVC space dispenser is in a surface parking lot and not mounted on the exterior of the principal structure, and when located on the top level of a parking structure and open to the sky. Furthermore, any EVC space dispenser and associated equipment located on the top level of a parking structure may not exceed the maximum allowable height limit for the parking structure.
- **Landscape/Screening:** EVC spaces and related equipment cabinets or structures must not be in any required transitional screening yard or impact any required internal parking

lot landscaping. Related equipment, including transformers, switchgear, and other similar items must be screened with a fence, wall, berm, evergreen landscaping, or any combination. Any landscaping used for screening purposes must be maintained.

EVC spaces that do not meet the criteria are still considered a principal use but are now **deemed a service station use** under the Zoning Ordinance.

Checklist Requirement: To help streamline the Zoning review process of EVC space requests, a new [EVC checklist](#) has been developed. Applicants will be required to fill out the checklist and submit for Zoning review before submitting any required electrical, building, or site applications related to the installation of EVC spaces. If a proposal is found to meet all the criteria outlined above and in the EVC checklist, Zoning staff will approve the checklist and send back an approved and signed copy of the checklist to the applicant and no additional Zoning review will be required. The applicant must upload to ProjectDox the approved and signed copy of the checklist with the electrical, building, or site application.

If one or more of the criteria in the checklist are not met, additional review will be required. Zoning staff will review the information provided on the checklist and work with the applicant to address the deficiencies before issuing a use determination outlining any necessary changes made for the EVC space to be deemed an accessory use. Similar to the checklist, the applicant is required to include a copy of the use determination, indicating the EVC space is deemed an accessory use, with the required electrical, building, or site application.

Submission Requirement

- A filled-out copy of the EVC checklist must be submitted to the Zoning Administration Division:
 - via email at ORDADMIN@fairfaxcounty.gov, or
 - mailed to: Zoning Administration Division,
Ordinance Administration Branch,
DPD, Suite 807,
12055 Government Center Parkway,
Fairfax, Virginia 22035
- All EVC spaces, whether permitted as an accessory or a principal use, may need:
 - electrical and/or building permit approval,
 - site plan approval if there is land disturbance of more than 2,500 square feet.

Questions regarding the submission and processing of the EVC **checklist** should be directed to the Ordinance Administration Branch at 703-324-1314.

Questions regarding the submission and processing of **electrical** and/or **building permits** should be directed to the Customer Technical Support Center (CTSC) at 703-222-0801, Option 2.

Questions regarding the **site plan** review and submission requirements should be directed to the Site Development and Inspections Division (SDID) of LDS at 703-324-1720.

Approved by: Leslie B. Johnson
Zoning Administrator
Department of Planning and Development
12055 Government Center Parkway, Suite 807
Fairfax, VA 22035-5504
703-324-1314, TTY 711

Approved by: William D. Hicks, P.E.
Department of Land Development Services
12055 Government Center Parkway, Suite 659
Fairfax, Virginia 22035-5504
703-324-1780, TTY 711